

**Environmental Protection Agency****§ 1051.730**

assumed vehicle speed of 30 km/hr as follows:  $UL (kW-hr) = UL (km) \times \text{Maximum Test Power (kW)} \div 30 \text{ km/hr}$ . (Note: It is not necessary to include a load factor, since credit exchange is not allowed between vehicles certified

to g/kW-hr standards and vehicles certified to g/km standards.)

(3) For evaporative permeation standards expressed as g/m<sup>2</sup>/day, use the useful life value in years multiplied by 365.24, and calculate the average emission level as:

$$\text{Emission level} = \left[ \sum_i (\text{FEL})_i \times (UL)_i \times (\text{Production})_i \right] \div \left[ \sum_i (\text{Production})_i \times (UL)_i \right]$$

Where:

Production<sub>i</sub> = The number of vehicles in the engine family times the average internal surface area of the vehicles' fuel tanks.

(b) If your average emission level is below the average standard, calculate credits available for banking according to the following equation and round them to the nearest tenth of a gram:

$$\text{Credit} = [(\text{Average standard} - \text{Emission level})] \times \left[ \sum_i (\text{Production})_i \times (UL)_i \right]$$

(c) If your average emission level is above the average standard, calculate your preliminary credit deficit according to the following equation, rounding to the nearest tenth of a gram:

ing to the following equation, rounding to the nearest tenth of a gram:

$$\text{Deficit} = [(\text{Emission level} - \text{Average standard})] \times \left[ \sum_i (\text{Production})_i \times (UL)_i \right]$$

**§ 1051.725 What information must I keep?**

(a) Maintain and keep five types of properly organized and indexed records for each engine family:

(1) Model year and EPA engine family.

(2) FEL.

(3) Useful life.

(4) Projected U.S.-directed production volume for the model year.

(5) Actual U.S.-directed production volume for the model year.

(b) Keep paper records of this information for three years from the due date for the end-of-year report. You may use any additional storage formats or media if you like.

(c) Keep a copy of all of the information you send us under § 1051.730.

(d) We may ask you to keep or send other information necessary to implement this subpart.

**§ 1051.730 What information must I report?**

(a) Include the following information in each of your applications for certification:

(1) A statement that, to the best of your belief, you will not have a negative credit balance for any type of recreational vehicle or engine when all credits are calculated. This means that if you believe that your average emission level will be above the standard (i.e., that you will have a deficit for the model year), you must have banked

credits (or project to have received traded credits) to offset the deficit.

(2) Detailed calculations of projected emission credits (zero, positive, or negative) based on U.S.-directed production projections. If you project a credit deficit, state the source of credits needed to offset the credit deficit.

(b) At the end of each model year, send an end-of-year report.

(1) Your report must include three things:

(i) Calculate in detail your average emission level and any emission credits (positive, or negative) based on actual U.S.-directed production volumes.

(ii) If your average emission level is above the allowable average standard, demonstrate that you have the credits needed to offset the credit deficit. If you cannot demonstrate that you have the credits at the time you submit your end-of-year report, we may void the certificates for all families certified to FELs above the allowable average.

(iii) If your average emission level is below the allowable average standard, state whether you will reserve the credits for banking.

(2) Base your U.S.-directed production volumes on the point of first retail sale. You may consider distributors to be the point of first retail sale if all their engines are sold to ultimate buyers in the United States.

(3) Send end-of-year reports to the Designated Officer within 120 days of the end of the model year. If you send reports later, you are violating the Act.

(4) If you generate credits for banking and you do not send your end-of-year reports within 120 days after the end of the model year, you may not use or trade the credits until we receive and review your reports. You may not use projected credits pending our review.

(5) You may correct errors discovered in your end-of-year report, including errors in calculating credits according to the following table:

If—	And if—	Then we—
(i) Our review discovers an error in your end-of-year report that increases your credit balance.	the discovery occurs within 180 days of receipt.	restore the credits for your use.
(ii) You discover an error in your report that increases your credit balance.	the discovery occurs within 180 days of receipt.	restore the credits for your use.
(iii) We or you discover an error in your report that increases your credit balance.	the discovery occurs more than 180 days after receipt.	do not restore the credits for your use.
(iv) We discover an error in your report that reduces your credit balance.	at any time after receipt .....	reduce your credit balance

(6) If our review of a your end-of-year-report shows a negative balance, you may buy credits to bring your credit balance to zero. But you must buy 1.1 credits for each 1.0 credit needed. If enough credits are not available to bring your credit balance to zero within 90 days of when we notify you, we may void the certificates for all families certified to FELs above the allowable average.

(c) Within 90 days of any credit trade, you must send the Designated Officer a report of the trade that includes three types of information:

(1) The corporate names of the buyer, seller, and any brokers.

(2) Copies of contracts related to credit trading from the buyer, seller, and broker, as applicable.

(d) Include in each report a statement certifying the accuracy and authenticity of its contents.

(e) We may void a certificate of conformity for any emission family if you do not keep the records this section requires or give us the information when we ask for it.

**§ 1051.735 Are there special averaging provisions for snowmobiles?**

For snowmobiles, you may only use credits for the same phase or set of